

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:05CR182 HEA
)	
SANDRA DALLAS,)	
)	
Defendant.)	

ORDER

This matter is before the Court on the motion filed by defendant entitled Motion to Reduce Sentence [Doc. #47]. The Federal Public Defender's Office has indicated to the Court that it will not be filing a motion on behalf of the Defendant, and the Government has filed a response to Defendant's motion.

Defendant was charged in this matter with use of a communication facility to cause or facilitate the distribution of a controlled substance. The maximum sentence allowed by statute for this charge was 48 months. Defendant was sentenced to a term of 48 months imprisonment. The retroactive amendment to the crack cocaine guideline range is not applicable in this case because as the Federal Public Defender and the government note in responses filed to Defendant's Motion to Reduce Sentence, the sentence the defendant received is below the amended guideline

sentencing range for the quantity of crack cocaine involved in this case. If Defendant were sentenced pursuant to the newly adjusted guideline range, Defendant's sentence would exceed that allowed by statute.

Therefore,

IT IS HEREBY ORDERED that the motion of Defendant for a reduction in sentence [Doc. #47] is **DENIED**.

Dated this 30th day of July, 2008.

A handwritten signature in cursive script, reading "Henry Edward Autrey", written in dark ink.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE